

Middlesex County Solid Waste Management Plan Application Filing Requirements for Class A, B, C, and D Recycling Facilities

The following guidelines will be used by the Middlesex County Division of Solid Waste Management, hereinafter "DSWM" staff and the Solid Waste Advisory Council (SWAC) for reviewing requests for County Solid Waste Management Plan, hereinafter "Plan" inclusion of recycling centers. Plan inclusion is required for all recycling facilities pursuant to N.J.A.C. 7:26A-4.2 prior to operation and prior to issuance of a permit from the Department of Environmental Protection (DEP), if required. Note: A favorable recommendation from SWAC does not guarantee County Plan inclusion or DEP approval.

Definitions (Reference N.J.A.C. 7:26A-1.3)

"Class A recyclable material" means a source separated non-putrescible recyclable material specifically excluded from Department approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, which material currently includes source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard.

"Class B recyclable material" means a source separated recyclable material which is subject to Department approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, the following:

1. Source separated, non-putrescible, waste concrete, asphalt, brick, block, asphalt-based roofing scrap and wood waste;
2. Source separated, non-putrescible, waste materials other than metal, glass, paper, plastic containers, corrugated and other cardboard resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures;
3. Source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided that they are not composted;
4. Source separated scrap tires; and
5. Source separated petroleum contaminated soil.

"Class C recyclable material" means a source separated compostable material which is subject to Department approval prior to the receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, organic materials such as: Source separated food waste; Source separated biodegradable plastic; and Source separated yard trimmings.

"Class D recyclable material" means, but is not limited to, the following:

Used oil, as defined in this section, which is subject to Department approval prior to the receipt, storage or processing at a Class D recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, the following: Used lubricant oil; Used coolant oil (non-contact heat transfer fluids); Used emulsion oil; and any other synthetic oil or oil refined from crude oil, which has been used, and as a result of such use is contaminated by physical or chemical impurities; Antifreeze; Latex paints; Thermostats; Lamps (light bulbs); Oil-based finishes; Batteries; Mercury-containing devices; and Consumer Electronics.

Manufacturers are not required to be included in the County Plan.

Manufacturers are defined by NJDEP as "any person which utilizes Class A recyclable material or non-container plastic materials as raw materials in the production of new paper, metal, glass or plastic products."

Middlesex County Requirements for Plan Inclusion:

1. Applicants for inclusion in the Plan must request inclusion in writing (see item 11 for address). They must identify the facility location by block and lot as well as street address, describe the nature of the project and provide the information requested below.

Applicants must also identify the name(s) of the legal property owner(s), including the address(es), of the land on which the recycling center is proposed.

a. All applicants seeking Plan inclusion for all Class A, B, C, and D recycling facilities must publish two notices in the Home News Tribune or currently recognized official County newspaper. The first notice must be published after the initial presentation to the Solid Waste Advisory Council (SWAC) and before SWAC members vote on the plan amendment. The second notice must be published no more than 30 and no less than 15 calendar days prior to a public hearing held to hear comments on the proposed plan amendment.

The notices must contain the following information:

- The name of the proposed recycling center, the name of the owner or operator of the proposed recycling center and the nature of the project including the proposed materials accepted and facility capacity;
- The generally recognized address of the proposed recycling center, as well as the block and lot of the proposed recycling center;
- An indication that a copy of the application for Plan inclusion may be examined at the Middlesex County Division of Solid Waste Management (DSWM), or at the applicable municipal clerk's office; and
- An indication that comments regarding the application for County Plan inclusion can be made at the public hearing which shall be convened by the Board of Chosen Freeholders, or submitted to the DSWM prior to or within the public comment period. The notice shall also indicate that the time and date of the hearing can be obtained by calling the DSWM at 732-745-4170.

2. The request for inclusion must be supported by information including, but not limited to:

- a. a list of the materials including the types of any reasonably anticipated contaminants to be received, stored, processed, or transferred at the recycling facility,
- b. expected daily through-put and maximum capacity of facility,
- c. specify how tonnage data will be determined i.e., by weight (scale), volume, etc.,
- d. the sources of these materials both as to geographical area and previous uses,
- e. marketing prospects for the material and alternatives to maintain flow if present markets weaken or fail (include names and addresses of planned end markets – any end market information deemed confidential must be so indicated and if appropriate will then be treated as confidential by the DSWM),
- f. the amount of residue the facility expects to generate and the disposal option for that residue,
- g. a written narrative explanation of the recycling facility operation from the receipt of recyclable materials to the point of transfer of end products, including machinery and vehicles to be utilized,
- h. proposed days and hours of operation,
- i. number and types of vehicles entering and leaving site,
- j. description of existing use of site and adjoining properties and distance to nearest sensitive receptor

(school, residence, etc),

k. how property is zoned including list of approved uses in zone,

l. a fire control plan and emergency procedures plan. The fire control plan must be approved by the local fire official prior to the application being submitted to the Board of Chosen Freeholders for consideration,

m. a listing of all equipment to be used on site,

n. a copy of the public notice and affidavit of publication,

o. any other pertinent information.

Additional information may be requested during the Plan inclusion process.

3. Provide site plan drawings signed and sealed by a licensed professional engineer or surveyor which include the following:

- location of all equipment, buildings, activities, and areas related to the receipt, storage, processing, and transferring of all unprocessed and processed recyclable materials
- traffic flow in and out of the site and the vehicle routing within the site
- floodplain delineation
- wetlands delineation
- stormwater runoff
- unprocessed and processed materials stockpiles including dimensions of the piles
- utilities
- buffer zones required by NJDEP

4. Considering both construction and regular operations, discuss the potential of this business to impact the surrounding environment with noise, odor, traffic, dust or other air contamination, fire hazard or visual concerns and to impact water supplies, waste disposal systems or any other aspect of the local and regional community. Discuss how each potential or unavoidable impact will be managed/abated so as to minimize negative effects on the natural environment or the community. If there are no anticipated impacts, the applicant must so indicate and also specify the reason why no impacts are expected.

5. State in the proposal that appropriate representatives of the municipality and the County including but not limited to personnel from the Health Department, Recycling Office, Police Department, Fire Department, and Engineer's office will have access to the site for inspections of operations and records.

6. List Municipal, County, State, Federal permits/approvals that may be needed for the operation, including air pollution permits, Freehold Soil approvals, planning/zoning board approvals. List the status of each.

7. a. Commit to providing to each source municipality in New Jersey, tons of material received by the facility minus processing residuals by source municipality on a yearly basis by February 1st for the previous year. Describe how data is derived and if the recyclables are sent to another recycling facility for further processing, provide the name of that facility.

b. Commit to providing the County of Middlesex with the following information on yearly basis by February 1st for the previous year:

- Tons of incoming materials received by the facility by source municipality.
- Tons of each recyclable material sent to markets, allocated by source municipality.
- Documentation of tons of nonrecyclable materials/residue.

8. All applicants shall make two or more presentations to SWAC and be prepared to respond to any pertinent questions raised by SWAC on the proposed facility. Appropriate personnel (engineers, attorneys) familiar with the facility application are expected to be available at the presentation(s).

9. The applicant must be prepared to supply any information requested by municipal officials, boards or agencies. Concurrent with the submission of the application to the DSWM, the applicant must provide the application package to the Municipal Clerk by Certified Mail - Return Receipt Requested and must provide a copy of the signed receipt to the DSWM. The applicant must also notify the Municipal Planning Board, Police Chief, Engineer's Office, Health Official, Fire Chief, and Recycling Coordinator that the application package has been filed and is available at the Municipal Clerk's Office.

The County will also notify the above mentioned officials to ensure the host municipality has been adequately informed. The officials will also be invited to participate in the SWAC site tour and/or will be asked to submit comments regarding the proposed facility. The DSWM will keep the municipality informed of SWAC and Freeholders action dates.

In addition, the DSWM will write to the host municipality's governing body to ask for a town or planning board resolution in support or against the proposed facility. The governing body will be informed that if SWAC does not hear from them within 60 days, SWAC will assume that the municipality is not opposed to the facility.

The County will also inform the Mayor and SWAC representative of any contiguous municipality which might reasonably be impacted by the facility that the application has been submitted and suggest that their SWAC Representative serve on the site inspection subcommittee.

These above procedures **do not** exempt the applicant from obtaining any necessary local approvals.

10. The applicant is advised that any facility which is included in the Plan for more than two years but for which a completed permit application has not been made to the DEP, or any facility which is included in the Plan but has not been in operation for more than two years is subject to deletion from the Plan.

11. All requests for modifications to the Middlesex County Solid Waste Management Plan via Plan Amendment or Administrative Action must be accompanied by the appropriate application fee listed below. If the application fee is not submitted the application will not be reviewed or placed on the SWAC agenda until the fee is paid. Fees are charged to cover costs including staff time, mailings, legal notices, and public hearing costs. Fees are as follows:

- a. Fee for a modification requiring a Plan Amendment \$500
(see N.J.A.C. 7:26-6.10 for a list of modifications that require a Plan Amendment)

Note: All applications for Plan Amendments must be submitted by the second Wednesday of each month in order to be placed on the next month's SWAC agenda. Regularly scheduled SWAC meetings are convened the second Tuesday of each month. Incomplete applications may result in delays in being placed on the agenda.

b. Fee for a modification requiring a Administrative Action \$150
(see N.J.A.C. 7:26-6.11 for a list of modifications that qualify for an Administrative Action)

Note: if a public hearing is required on an Administrative Action, the fee will be an additional \$150.

Note: Requests for Administrative Actions shall be done by letter and be submitted by the third Tuesday of each month in order to be placed on the next month's SWAC agenda. The letter should include the name and location of the existing facility, the proposed changes at the facility and how the change qualifies as an Administrative Action (see N.J.A.C. 7:26-6.11).

Checks should be made payable to the Treasurer, County of Middlesex. Any check returned for any reason will be subject to the County returned check fee procedure in place at the time the check is returned.

Requests for inclusion in the County Plan should be sent to:

Middlesex County Solid Waste Advisory Council
Solid Waste Management
711 Jersey Avenue
New Brunswick, NJ 08901
(732) 745-4170
(732) 745-3010 (fax)
email solidwaste@co.middlesex.nj.us

All proposals will be reviewed on a case by case basis.